



ANNO SEXTO

GEORGIIV. REGIS.

Cap. lxi.

An Act for making and maintaining a Railway or Tram Road from the Northern Extremity of a certain Estate called *Abertyswg* in the Parish of *Bedwelty* in the County of *Monmouth*, to join the *Sirhowy* Railway, at or near *Pye Corner* in the Parish of *Bassaleg* in the same County.

[20th May 1825.]

WHEREAS the making and maintaining of a Railway or Tram Road for the Passage of Waggons and other Carriages properly constructed from the Northern Extremity of a certain Estate called *Abertyswg*, in the Parish of *Bedwelty* in the County of *Monmouth*, and the Mines of Iron Ore and Coal thereunder, through, in, or into the several Parishes of *Bedwelty*, *Mynyddystwn*, *Bedwas*, *Machen*, and *Bassaleg*, in the same County, to join the *Sirhowy* Railway, at or near a Place called *Pye Corner* in the said Parish of *Bassaleg*, will be of great public Utility, by opening a Communication with many large and extensive Mines and Quarries of Iron Ore, Coal, and Lime Stone, which lie under and near to the said Line of Railway or Tram Road, and will not only cause the same to be worked to great Advantage, but will facilitate and cheapen the Carriage and Conveyance of Iron, Coal, Lime, Lime Stone, and other Commodities from the said Mines and Quarries, to the Town and Port of *Newport*; and also the Conveyance of Merchandize and other Commodities from the said Town and Port

[Local.]

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to

to the said Mines; and will materially assist the Agricultural Interest as well as the general Traffic of the Country through and near which the said Railway or Tram Road will pass, and tend to the Improvement of the Estates in the Vicinity of the same: And whereas by Levels and Surveys made and taken of the Line of the said proposed Railway or Tram Road, the Practicability of making the said Railway or Tram Road has been ascertained; and the several Persons herein-after named are willing and desirous, at their own Expence, to make and maintain the said Railway or Tram Road, and such other Works as herein-after mentioned; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Charles Morgan* Baronet, *Joseph Bailey*, *William Thompson*, and *Crawshay Bailey*, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for making and maintaining the said Railway or Tram Road, and other Works by this Act authorized to be executed, according to the Rules, Orders, and Directions hereinafter mentioned and specified, and shall for that Purpose be one

Company of Proprietors.

Their Name. Body Corporate by the Name and Style of "The *Rumney* Railway Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued; and that the said Company of Proprietors shall have Power and Authority from and after the passing of this Act, and at all Times hereafter, to purchase and hold Lands and Hereditaments to them and their Successors and Assigns for the Use of the said Undertaking and Works, and also to sell or dispose of the said Lands and Hereditaments again in Manner by this Act directed without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Company empowered to make a Railway.

II. And be it further enacted, That the said Company of Proprietors shall be and are hereby authorized and empowered by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Railway or Tram Road, passable for Waggon's and other Carriages to be constructed as herein-after appointed, from the Northern Extremity of the said Estate called *Abertyswg* and the Mines thereunder, to join the *Sirhowy* Railway at or near a Place called *Pye Corner* in the said Parish of *Bassaleg*; and for the Purposes aforesaid, the said Company of Proprietors, their Deputies, Agents, Servants, Surveyors, and Workmen are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate whatsoever, according to the Directions and Provisions of this Act, and to survey and take Levels of the same or any Part thereof, and to set out, ascertain, and appropriate for the Purposes herein mentioned, such Parts thereof as they shall think necessary and proper for making or altering the said Railway or Tram Road, and all such other Works, Matters, and Conveniences as they shall think proper and necessary for making, effecting, preserving, improving, completing, maintaining,

and using the same, and for the Conveyance of Goods into and out of the said Railway or Tram Road, and for those Purposes to bore, dig, cut, trench, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things, which can or may be dug, raised, or gotten in making the said Railway or Tram Road, or other Works, out of the Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, adjoining or contiguous to such Railway or Tram Road, and which may be proper, requisite, or necessary for making, carrying on, continuing, maintaining, altering, or repairing the said Railway or Tram Road, and other Works; and also to make, build, erect, bank, excavate, or set up, in, under, or upon the said Railway or Tram Road, and other Works, or upon the Lands adjoining the same, such and so many Bridges, Piers, Arches, Tunnels, Aqueducts, Basins, Posts, Ropes, and Chains for passing any Rivers, Brooks, and Streams, and other Waters, and such and so many Wharfs, on the Line of the said Railway or Tram Road or near thereto, Houses, Warehouses, Toll Houses, Landing Places, Weighing Beams, Cranes, Fire Engines, or other Machines, and other Works, and Ways, Roads, and Conveniences, where and in such Manner as the said Company of Proprietors shall think necessary and convenient for the Purposes of the said Undertaking; and also from Time to Time to alter, repair, and amend or discontinue the same; and also to place, lay, work, or manufacture the Materials necessary for the making, erecting, maintaining, and repairing the said Railway or Tram Road, and other Works, on the Lands or Grounds adjoining to the Place or Places where the said Works or any of them shall be or are intended to be made, executed, repaired, or done; and also to make, maintain, repair, and alter any Fences or Passages over, under, or through the said Railway or Tram Road; and also to make, set out, and appoint such Roads and Ways convenient for hauling or drawing of Waggon and other Carriages passing upon the said Railway or Tram Road, with Men or Horses, or otherwise, and proper Places for Waggon and other Carriages to turn, lie, or pass each other, as the said Company of Proprietors shall think convenient; and to construct, erect, and keep in repair any Bridges, Piers, Arches, and other Works in, upon, and across any Rivers or Brooks for the making, effecting, preserving, improving, completing, using, maintaining, and repairing of the said Railway or Tram Road, and other Works; and to construct, erect, make, and do all other Matters and Things which they shall think convenient or necessary for the making, effecting, altering, preserving, improving, completing, and using the said Railway or Tram Road, and other Works to be made or constructed in pursuance and according to the true Intent and Meaning of this Act, they the said Company of Proprietors, their Deputies, Agents, Servants, and Workmen doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in Manner herein-after mentioned to the Owners and Proprietors of, and all Persons interested in any Lands or other Hereditaments which shall be taken, used, removed, diverted, or injured, for all Damages to be by them sustained in or by the
Execution

Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company of Proprietors and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisions and Restrictions as are herein-after mentioned and contained.

Steam Engines to consume their Smoke.

III. And be it further enacted, That the Furnace of every Steam Engine to be erected under or by virtue of the Powers of this Act shall be constructed upon the Principle of consuming its own Smoke.

Ascent to Bridges, and Fence.

IV. And be it further enacted, That in all Places where it may be necessary to erect or build any Bridge or Bridges to communicate with any Public Carriage Road, the Ascent to every such Bridge for the Purpose of such Road shall not be more than One Foot in Thirteen; and that a good and sufficient Fence shall be made on each Side of every such Bridge, which Fence shall not be less than Four Feet above the Surface of such Bridge.

Crossings:

V. Provided always, and be it further enacted, That where the said Railway or Tram Road shall cross any Turnpike Road or public Highway, the Ledge or Flanch of such Railway or Tram Road for the Purpose of guiding the Wheels of the Carriages shall not be above the Level of such Road, nor shall the same be more than Three Quarters of an Inch below the Level of such Road.

Houses and Gardens not to be used,

VI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage for the Purposes of the said Railway or Tram Road, or other Works, or for any other of the Purposes aforesaid, any House or other Building which was erected or built on or before the First Day of *January* One thousand eight hundred and twenty-four, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to a House, without the Consent in Writing of the Owners or Occupiers thereof and Persons interested therein respectively, other than and except those specified in the Schedule annexed to this Act.

except those specified in the Schedule.

Company empowered to purchase Land for Wharfs.

VII. Provided always, and be it further enacted, That the said Company shall with the Consent of the Owners and Proprietors thereof, have full Liberty and Power to purchase any Parcel or Parcels of Land not exceeding Ten Acres in the whole for the Purpose of making a Wharf or Wharfs.

Plans and Books of Reference.

VIII. And whereas a Survey has been taken of the Line of the said Railway or Tram Road, and a Map or Plan with a Book of Reference thereto describing the same, has been made and deposited with the Clerk of the Peace for the County of *Monmouth*, be it therefore enacted, That the said Map or Plan and Book of Reference thereto shall remain deposited with the Clerk of the Peace for the County of

of *Monmouth*, to which Map, Plan, and Book of Reference all Persons shall have Liberty to resort, and to examine, and make Extracts from or Copies of the same as occasion shall require, paying to the said Clerk for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan, or Book of Reference, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

IX. And be it further enacted, That the said Company of Proprietors in making the said intended Railway or Tram Road shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Map or Plan.

Not to deviate more than One Hundred Yards.

X. And be it further enacted, That the said Company of Proprietors may make the said Railway or Tram Road, and other Works, into, through, across, or over the Lands or Grounds of any Person or Persons whomsoever, Body or Bodies Politic, Corporate, or Collegiate, whose Name or Names shall appear to the Satisfaction of any Two or more Justices of the Peace for the said County of *Monmouth*, and to be by them certified under their Hands, to be by Mistake omitted in the said Book of Reference, or that instead thereof the Name or Names of some other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom such last mentioned Lands or Grounds do not belong, have or hath been by Mistake inserted therein; any thing herein contained to the contrary thereof in anywise notwithstanding.

Land Owners omitted in Book of Reference not to obstruct making the Railway, &c.

XI. And be it further enacted, That the Lands and Grounds to be taken or used for making and using the said Railway or Tram Road shall not exceed Fifteen Yards in Breadth, except in those Places where it shall be judged necessary for Waggon or other Carriages to turn or pass each other, or for raising Embankments for crossing the Vallies, or in deep Cuttings, or where any Warehouses, Cranes, or Weigh Beams may be erected, or where any Places may be set out or appropriated for the forming of Wharfs, or for the Reception or Delivery of Goods, Wares, and Merchandize which shall be conveyed on the said Railway or Tram Road, and not above Sixty Yards in Breadth in any Place (except on Commons, Downs, or Waste Lands) without the Consent of the Owners of the Lands or Hereditaments adjoining to the said Railway or Tram Road.

Breadth of the Land to be taken for the Railways.

XII. And be it further enacted, That after any Lands, Grounds, or Hereditaments shall have been set out and ascertained for making the said Railway or Tram Road, and other Works, or any Part or Parts thereof, and for providing and constructing the Wharfs and other Works and Conveniences, and for doing the several other Matters or Things which the said Company of Proprietors are by this Act empowered or authorized to do or make, or any of them, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants

Bodies Politic, &c. empowered to sell and convey Lands.

in Tail or for Life, Husbands, Guardians, Trustees, and Feoffees, in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all other Tenants and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for or on Behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any such Lands, Grounds, or Hereditaments as last aforesaid, as shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all other Persons so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors, and shall be made according to the following Form; *videlicet*,

Form of
Conveyance.

‘ I, *A. B.* of _____ do hereby
‘ in consideration of the Sum of _____
‘ to me paid by _____ do hereby
‘ by virtue of the Powers contained in an Act of Parliament passed
‘ in the Sixth Year of the Reign of King George the Fourth, in-
‘ titled, [*here set forth the Title of this Act*], grant and release
‘ to the said Company of Proprietors, all, &c. [*describing the Premises*
‘ *to be conveyed*] and all my Right, Title, and Interest in and
‘ to the same and every Part thereof, to hold to the said Company
‘ of Proprietors and their Successors for ever, by virtue and accord-
‘ ing to the true Intent and Meaning of the said Act. In witness
‘ whereof I have hereunto set my Hand and Seal the
‘ Day of _____ in the Year of our Lord _____

And if the Premises are Leasehold for Years, they shall be assigned by a Form answerable to the above, only substituting the Words applicable to the Assignment of a Chattel; and all such Conveyances and Assignments respectively shall be kept by the Clerk or Clerks to the said Company of Proprietors, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive the Sum of Sixpence for every One hundred Words, exclusive of the Stamp Duty.

Company not
to claim
Mines, &c.
under Land
purchased.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to the said Company of Proprietors, any Mines, Minerals, or Coals, or any Stone or Slate under any Land taken or purchased by the said Company under the Provisions of this Act; but all such

Mines, Minerals, Coals, Stone, or Slate, shall be deemed to be exempted out of such Purchase, and may be worked by the Owners or Lessees thereof under the said Lands, or any Railways or Wharfs of the said Company, as if this Act had not passed, but so as nevertheless not to injure such Railways, Wharfs, or other Works, hereby authorised or directed to be made.

XIV. And be it further enacted, That if in making the said Railway or Tram Road, any Pieces or Parcels of Ground shall be cut through and divided, so that what shall be left on each or either Side of the said Railway or Tram Road shall be less than One Acre in Quantity, or less than Fifty Yards in Breadth, and if the Owner or Owners of any such Pieces or Parcels of Ground shall not have any other Land or Ground adjoining to what shall be so left on each or either Side of the said Railway or Tram Road, then and in every such Case the said Company of Proprietors shall also take and purchase the Piece or Parcel, or Pieces or Parcels of Ground so left on each or either Side of the said Railway or Tram Road, being less than One Acre in Quantity, or less than Fifty Yards in Breadth, as aforesaid, and shall pay for the same, after the Rate and in the Manner as they shall pay for the Land or Ground adjoining thereto, which shall be taken and used for making the said Railway or Tram Road; provided the Owner or Owners, or Person or Persons entitled to the Possession or to the Rents or Profits of such small Pieces or Parcels of Ground respectively, shall require the said Company of Proprietors to take and purchase the same, but not otherwise.

Where small Parcels of Land are intersected, Company compellable to purchase the whole.

XV. And be it further enacted, That in all Cases where in making the said Railway or Tram Road, or other Works hereby authorised, there shall be occasion to cut through, take, or use any Part of any Commons or Wastes, the Conveyance of such Parts of such Commons or Wastes by the Lord or Lords, Lady or Ladies for the Time being, of the Manor or Manors in which the same are situate, to the said Company of Proprietors, shall be a good and sufficient Conveyance thereof; and the Lord or Lords, Lady or Ladies of such Manor or Manors respectively are hereby authorised and required to make and execute such Conveyances accordingly; Compensations for such Parts of such Commons or Wastes as shall be required to be taken for making the said Railway or Tram Road being first made or tendered to him, her, or them.

Waste Lands to be conveyed by Lords of Manors.

XVI. And be it further enacted, That all and every Body or Bodies Politic, Corporate, or Collegiate, Trustees, and other Person or Persons herein-before enabled to sell or convey Lands or other Hereditaments, and any other Owner or Owners, and the Occupier or Occupiers of any Lands or other Hereditaments through, in, or upon which the said Railway or Tram Road, and other Works hereby authorised shall be made, may accept and receive Satisfaction for the Value of such Lands and Hereditaments, and also a certain Compensation for the Damages to be sustained by making or completing the said Works herein-before directed to be made, such Satisfaction and Compensation respectively to be made and given in gross Sums; and in case the said Company of Proprietors, and the said Parties interested

Satisfaction to be made for Lands taken for the Railway or Tram Road.

in such Lands or other Hereditaments, cannot agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury if required, as is herein-after directed.

Difference
respecting
Price of
Land or
Damage to
be settled by
a Jury.

XVII. And be it further enacted, That in case of any Difference of Opinion between the said Company of Proprietors or their Agents, and any Body or Bodies Politic, Corporate, or Collegiate, Trustees, or other Person or Persons interested in or entitled to any Lands, Tenements, or Hereditaments, relative to the Price or Value, Damages or Recompence to be given for the same, to be taken or used for the Purposes of this Act, and in case such Price or Value, Damages or Recompence cannot be settled, adjusted, and agreed for by and between the said Company of Proprietors or their Agents, and such Proprietors of, or Persons interested in the Lands, Tenements, or Hereditaments as aforesaid; or if any such Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons interested or entitled as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Company of Proprietors; or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officer of any such Body or Bodies Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments required for the Purposes of this Act, neglect or refuse to treat; or if any Person or Persons shall by Absence or otherwise be prevented from treating, shall not within the before mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then and in every such Case the said Company of Proprietors shall, and they are hereby empowered and required to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands or Hereditaments in question shall be situated; and in case such Sheriff or his Under Sheriff shall be One of the said Company of Proprietors, or enjoy any Office of Trust or Profit under them, or shall be in any ways interested in the Matters in question, then to some one of the Coroners of such County who shall not be so interested as aforesaid, commanding such Sheriff or Coroner to impanel, summon, and return a Jury; and the said Sheriff or Coroner is hereby required accordingly to impanel, summon, and return a Jury of at least Eighteen sufficient and indifferent Men qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the Justices of the Peace for the County in which such Lands or Hereditaments shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden for the same County or at some Adjournment thereof as in such Warrant or Warrants shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff or Coroner shall return other honest or indifferent Men of the Standers-by, or that
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can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve, and all Parties concerned may have their lawful Challenge against any of the said Jurymen, but shall not challenge the Array; and the Clerk of the Peace for the County in which such Lands or Hereditaments shall lie, or the Matter in question or dispute shall arise, or his Deputy, is hereby empowered and required to summon or call before the said Justices all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in question; and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Matter or Matters in controversy; and such Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered to administer) shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands or other Hereditaments, or the Recompence to be made for the Damage which shall or may be sustained as aforesaid; and the said Justices shall accordingly give Judgment for such Purchase Money or Recompence so to be assessed by such Jury; which said Verdict and the Judgment thereupon to be pronounced as aforesaid shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever.

XVIII. And be it further enacted, That if such Sheriff or his Deputy, or other Person so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear without sufficient Excuse, or appearing, shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Person so to be summoned to give Evidence shall not appear without sufficient Excuse, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing, shall refuse to be sworn, examined, or to give Evidence, then and in every Case every Person so offending shall forfeit and pay for the Benefit of the Party for whom or on whose account such Jury or Witness shall be summoned, any Sum not exceeding Ten Pounds; to be levied by virtue of any Warrant under the Hand and Seal of any One of the said Justices by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, her, or them the Overplus after such Penalty and the Charges and Expences of such Distress and Sale shall be deducted.

Fine on Sheriff making Default, and for Persons refusing to appear, &c.

XIX. And be it further enacted, That every such Jury and Jurymen as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties, as if such Jury and Jurymen had been returned for the Trial of an Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who, in any Examination to be taken by virtue of this Act upon their Oath, shall wilfully and corruptly give false Evidence

Respecting Juries and Witnesses.

dence before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

By whom
Expences of
Juries shall
be paid.

XX. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on Behalf of the said Company of Proprietors as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid; or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impanelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Company of Proprietors out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Fourteen Days after Demand made thereof from the said Company, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Company, or of any Goods or Chattels of the Treasurer or Treasurers of the said Company (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorised to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Monmouth*, which Warrant any such Justice is hereby authorised and required to issue under his Hand and Seal on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on Behalf of the said Company as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Company; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Company, the Costs and Charges so incurred shall be borne by the said Company in Manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Monmouth* not interested in the Matter in question, who is hereby authorised and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Company as aforesaid, the Amount thereof having been first paid by the said Company may be deducted by them out of the Monies awarded to be paid to such Party or Parties as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and

and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand after being so ascertained as aforesaid, the same may be recovered by the said Company from the Party or Parties liable to the Payment thereof by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

XXI. And be it further enacted, That all and every Person or Persons with whom the said Company of Proprietors shall have any such Controversy or Dispute as aforesaid, shall, before the said Company of Proprietors shall be obliged to issue out their Warrant or Warrants for the summoning such Jury, first enter into a Bond with Two sufficient Sureties to the Treasurer of the said Company of Proprietors, in a Penalty of One hundred Pounds to prosecute his, her, or their Complaint, and to bear and pay all the Costs and Expences of summoning and returning such Juries and taking such Inquest, and of the summoning and of the Attendance of Witnesses, in case such Costs and Expences shall fall upon him, her, or them, to be paid according to the true Intent and Meaning of this Act.

Persons requesting Juries to enter into Bonds to prosecute.

XXII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase Money and Compensation for Damages which shall be agreed, determined, and adjusted, or assessed, in Manner aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Compensation Money to be apportioned.

XXIII. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace for the County in which the Matter of Dispute shall have arisen, among the Records of the Quarter Sessions for such County, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

Verdicts to be recorded.

XXIV. And be it further enacted, That if any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, or other Hereditaments by reason of the Execution of any of the Powers given by this Act, and through or by Means not herein provided for, then and in every such Case such Damages shall be so settled by the said Company of Proprietors, or by a Jury as herein-before mentioned, and the Amount of such Damages may be recovered and applied in Manner herein directed with regard to other Damages; and in every such Case, the said Company of Proprietors, or any Three of them, are hereby empowered and required to issue a Warrant or Warrants under their Hands and

Damages not provided for to be settled.

Seals

Seals to the Sheriff of the said County, commanding him to summon a Jury in Manner herein-before mentioned.

Notice of Injury to be given to Proprietors before Complaint made.

XXV. And be it further enacted, That the said Company of Proprietors shall not, nor shall any of them be obliged or allowed by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever for any Injury or Damage by him or them sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice shall have been given in Writing in relation thereto, by or on Behalf of such Person or Persons, to the said Company or to their Clerk Ten Days at the least before such Complaint shall be made to the said Company, and within the Space of Six Calendar Months after the Time of such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

XXVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in Manner aforesaid, for the Purchase of any such Lands, Tenements, or other Hereditaments, or as a Compensation for Damages as herein mentioned to the Proprietor or Proprietors of such Lands, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within Three Calendar Months after the same shall have been so agreed for, determined, or awarded, or upon Payment of the said Sum or Sums of Money into the Bank of *England*, as herein-after directed and required, for the Use of the Person or Persons entitled thereto, but not before, it shall and may be lawful to and for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively; and then and thereupon, such Lands and Grounds, Tenements, and other Hereditaments, together with the Yearly Profits thereof; and all the Estate, Use, Trust, and Interest of any Person or Persons therein; shall thenceforth be vested in and become the sole Property of the said Company of Proprietors, to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder, of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment as aforesaid, it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut the Lands or Grounds, Tenements or other Hereditaments of the Person or Persons entitled to such Payment, for the Purpose of making the said Railway or Tram Road, and Works, without the Leave and Consent of such Person or Persons respectively.

XXVII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any Lands, Tenements, and Hereditaments, or any Part thereof which shall be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Company of Proprietors, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Two Calendar Months Notice to quit such Possession from the said Company, or from the Person or Persons so authorised by them; and such Person or Persons in Possession shall at the End of the said Two Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Company, or to the Person or Persons authorised by them to take Possession thereof; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Company to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods.

Tenants at Will or for Years, to quit Lands &c. after Notice.

XXVIII. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Premises so occupied by him to the said Company of Proprietors, or to the Person or Persons authorised by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Company of Proprietors shall, and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises, which Satisfaction or Compensation in case of Difference shall be settled and ascertained in Manner herein-before directed with regard to any other Satisfaction or Compensation in and by this Act provided for and directed to be made and assessed.

Interest of such Tenants may be settled by a Jury.

XXIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon by the said Company, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company, or from such Person or

Mortgages to be conveyed to the Company after Tender.

[Local.]

Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages, then, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company, or to such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Principal Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of this Act, and which shall be ascertained in Manner herein-before directed, then the said Company of Proprietors shall not be liable to pay to the Mortgagee more than such real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein-after directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Application
of Compensation
Money, when
amounting
to or ex-
ceeding 200/.

XXX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, or for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or to any other Person whose Lands, Tenements, or Hereditaments are limited in Strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *exparte* "The Company of Proprietors of the *Rumney* Railway," pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled, *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee

Fee or Reward, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or in the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorise to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited to, or to, for, or upon such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments to be purchased by virtue of this Act, in case such Purchase and Settlement were made.

XXXI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so purchased, taken, or used; or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two or more Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company, (such Nomination and Approbation to be signified in Writing under the

Hands

When less than 200*l*. and amounting to 20*l*.

Hands of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising therefrom may be applied in Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

Application when the Money is less than 20l.

XXXII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for any of the Purposes of this Act, in such Manner as the said Company shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to or for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XXXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Company, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Company to order the said Sum or Sums of Money so ordered or awarded as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court of Exchequer, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out or invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where Questions shall arise

XXXIV. And be it further enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into

into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession shall be deemed entitled.

XXXV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act; the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the Expences of all Purchases, from Time to Time to be made in pursuance of this Act, or so much of the Expences as the said Court shall deem reasonable, together with the necessary Costs and Expences of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sum of Money accordingly, for such Purposes as the said Court shall direct.

Court of Exchequer may order Expences to be paid by Company.

XXXVI. And whereas, by means of the Purchases which the said Company of Proprietors are empowered and required to make by virtue of this Act, they may happen to be seised of more Land or Ground than will be necessary for effecting the Purposes of this Act, be it therefore further enacted, That it shall and may be lawful for the said Company of Proprietors to sell and dispose of any Piece or Pieces of such Land or Ground, either together or in Parcels, as they shall find most convenient and advantageous to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the said Company of Proprietors before they shall sell and dispose of any such Piece or Pieces of Land or Ground, shall first offer to resell the same to the Owner or Owners of the adjoining Land or Ground; and an Affidavit made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of his Majesty's Justices of the Peace for the said County of *Monmouth*, by some Person or Persons not interested in the said Piece or Pieces of Land

Enabling the Company of Proprietors to sell Land not wanted;

to give the first Offer to the Persons from whom it was purchased.

or Ground, stating that such Offer was made by or on Behalf of the said Company of Proprietors, and that such Offer was not then and thereupon agreed to; or was refused by the Person or Persons to whom the same was so offered, shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing or repurchasing the same, and he, she, or they, and the said Company of Proprietors shall differ and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in Manner herein-before directed with respect to the disputed Value of Premises to be purchased by the said Company of Proprietors in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein-before directed with respect to Purchases made by the said Company of Proprietors, *mutatis mutandis*; and the Money produced by the Sale or Sales which may be made by the said Company of Proprietors of such Piece or Pieces of Land or Ground as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

The Word
"Grant" in
Conveyances
from the
Company of
Proprietors,
to amount to
certain Co-
venants.

XXXVII. And be it further enacted, That in all Conveyances to be made by the said Company of Proprietors under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Word "Grant" shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or other Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, from the said Company of Proprietors, for themselves and their Successors, that they the said Company of Proprietors, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof, against the said Company of Proprietors, their Successors and Assigns, and all claiming under them indemnified and saved harmless by the said Company of Proprietors and their Successors, from all Incumbrances committed by the said Company; and also for further Assurance of such Hereditaments and Premises thereby granted to be made by the said Company of Proprietors, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances, or any of them; and that such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

The whole
Expencesub-
scribed.

XXXVIII. And whereas the probable Expence of making the said Railway or Tram Road, and other Works hereby authorised to be made, will amount to the Sum of Seventy-two thousand one hundred

Pounds, and which Sum has been already subscribed by several Persons under a Contract, binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said Company to proceed in the Execution thereof.

XXXIX. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, in such Proportions as they shall think proper, a competent Sum of Money for making and completing the said Railway or Tram Road, Wharfs, Bridges, and other Works and Conveniences belonging or requisite thereto, not exceeding in the whole the Sum of Forty-seven thousand one hundred Pounds, except as herein-after mentioned; and the same shall be divided into Shares of One hundred Pounds each, and that such Shares shall be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Persons so raising and contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded, in lieu thereof towards carrying on and completing the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and receive at such Time and Times as the said Company of Proprietors shall, at a Meeting to be convened for that Purpose as Meetings on other Occasions are directed to be convened, direct and appoint, the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, out of the net Profits and Advantages that shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, Person and Persons having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in Manner herein directed and appointed.

Proprietors to raise Money amongst themselves for making Tram Road.

XL. Provided always, and be it enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

Shares to be Personal Property.

XLI. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe or advance any Money for or towards making and maintaining the said Railway or Tram Road, and other Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums of Money by them respectively

To compel Payment of Subscriptions.

respectively subscribed; or such Parts or Proportions thereof as shall from Time to Time be called for by the Company under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company of Proprietors in Manner herein-after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in the Manner required for that Purpose, it shall and may be lawful for the said Company of Proprietors to sue for and recover the same in any Court of Law or Equity.

Subscribers
to be deem-
ed Proprie-
tors.

XLII. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, or other Person or Persons who shall by virtue of this Act have subscribed for or shall become entitled to be and be in the actual Possession of One or more Share or Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall be deemed a Proprietor of every such Share, and shall have a Vote for and in respect of every such Share in the Meetings to be held as herein-after appointed for carrying on the said Undertaking; which Vote or Votes may be given by them, him, or her; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any Meeting of the said Company, shall be determined by the Majority of Votes then present; and that every Election of Officers, and Questions, Matters, and Things whatsoever which shall be proposed, discussed, or considered in any Meeting of the said Company to be held by virtue of this Act, shall be finally determined by a Majority of Votes then present; and that at every such Meeting One of the Proprietors then present shall be appointed Chairman, who shall not only be entitled to vote as a Proprietor, but in case of an Equality of Votes shall have the decisive and casting Vote.

Application
of Money to
be raised.

XLIII. And be it further enacted, That all the Money to be advanced or raised by the said Company by virtue of this Act, shall be laid out and applied, in the first Place, for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expences in applying for, obtaining, and passing this Act, and all other Expences preparatory and relating thereto; and all the Residue and Remainder of such Money for and towards purchasing Lands and Grounds, making, completing, and maintaining the said Railway or Tram Road, Bridges, and other Works, and other the Purposes of this Act.

First and
other Gene-
ral Meet-
ings.

XLIV. And be it further enacted, That the First General Meeting of the said Company of Proprietors for putting this Act in Execution shall be held at *Newport* aforesaid, within Six Weeks after the passing of this Act, and the Second and every other General Meeting shall be held at such Times and Places as shall at such First or any subsequent General Meeting be appointed, and One General Meeting shall be holden on the Second *Monday* in the Month of *June* in every Year; and the said Company of Proprietors shall have Power and Authority at any such General Meeting to remove and displace any Officer or Officers under them, and to choose and elect others; and shall also have Power and Authority to make such new Rules,

Rules, Bye Laws, and Orders for the good Government of the said Company of Proprietors, and for regulating all Officers, Workmen, Agents, and Servants to be employed in or about the Affairs or Business of the said Company, and for the well and orderly using of the said intended Railway or Tram Road, Wharfs, Cranes, Warehouses, and other Works thereto belonging, and the conveying of all Goods, Wares, and Merchandize which shall be conveyed upon the said Railway or Tram Road, Wharfs, and other Works, and for the orderly Behaviour of all Persons who shall be employed in carrying or conveying any such Goods, Wares, and Merchandize, and for the Superintendance and Management of the said Railway or Tram Road, and other Works, in all other Respects whatsoever; and from Time to Time to alter and repeal, and again to renew the said Bye Laws, Orders, and Regulations, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same, as to the major Part of such General Meeting shall seem meet, not exceeding the Sum of Five Pounds for any Offence, such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company of Proprietors, shall be printed and affixed upon the several Toll Houses to be erected upon the said Railway or Tram Road and Wharfs, and shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders shall be subject to Appeal in Manner herein-after mentioned; and every such General Meeting shall have Power to call for, audit, and settle all Accounts for Money received, laid out, and disbursed on account of the said Undertaking by the Treasurers, Receivers, or Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons employed by or concerned for or under them, in and about the said Railway or Tram Road, and the Works thereto belonging; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time as they shall see Occasion for the further Execution of this Act.

XLV. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into Execution, a Special General Meeting of the said Company of Proprietors is necessary to be held, it shall be lawful for any Two or more of the said Proprietors to cause Ten Days Notice at the least to be given to each Proprietor, or leaving at his or her usual Place of Abode a Notice in Writing signed by such Proprietors, or by the Clerk to the said Company of Proprietors for the Time being, or in such other Manner as the said Company of Proprietors shall at any General Meeting direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the same shall be held; and the said Company are hereby authorised to meet in pursuance of such

Meetings of Proprietors may be specially convened.

Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified only; and all such Acts of the Proprietors, or the major Part of them met together at every such Special General Meeting, shall be as valid with respect to the Matters specified in such Notice, as if the same had been done at a General Meeting at the Time herein-before appointed for holding the same.

General Meetings to appoint Officers.

Treasurer, &c. to give Security.

XLVI. And be it further enacted, That it shall be lawful for the said Company at any General Meeting, and they are hereby authorised and required from Time to Time to nominate and appoint a Treasurer or Treasurers, and One or more Receiver or Receivers, Collector or Collectors of the said Rates, and also One or more Clerk or Clerks to the said Company, and such other Officers as they shall think proper, with such Salaries or Salary, or Remuneration, as shall to the said Company seem proper; and the said Company shall, and they are hereby required to take sufficient Security from every such Treasurer, Receiver, Collector, and other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the due Execution of their respective Offices, as the said Company shall think proper, and from Time to Time to remove any such Treasurer or Treasurers, Collector or Collectors, Clerk or Clerks, or other Officer or Officers or any of them; and such Clerk or Clerks shall attend the Meetings of the said Company, and shall in a proper Book or Books, to be provided by the said Company for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons who shall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company; and every Proprietor of the said Undertaking shall and may at all convenient Times have recourse to, and peruse and inspect the same gratis, and may demand and have Copies thereof or any Part thereof, paying for every One hundred Words so to be copied, the Sum of Sixpence; and if any such Clerk or Clerks to the said Company shall refuse to permit any Proprietor to inspect or peruse any such Book or Books of Proceedings at all convenient Times and Seasons, or refuse to make any such Copy or Copies in a reasonable Time at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds for the Benefit of the said Undertaking; and in case any such Treasurer, Collector, or Clerk shall die, be removed from, or quit the Service of the said Company, it shall be lawful for the said Company, at any Special General Meeting, to appoint any other fit Person or Persons to execute such Office or Offices in the Place of such Person or Persons who shall so die, be removed from, or quit the Service of the said Proprietors.

Clerk and Treasurer not to be the same Person.

XLVII. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Per-

son in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered together with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

XLVIII. And be it further enacted, That the said Company of Proprietors at any Meeting shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of the said Undertaking to defray the Expences of or to carry on the same as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Twenty Pounds upon each Share which any Person or Persons shall or may be possessed of or entitled to in the said Undertaking, and such Calls shall not be made but at the Distance of Two Calendar Months at the least from each other, and Ten Days Notice at the least shall be given to the said Subscribers of all such Calls as aforesaid, which Monies so called for shall be paid to such Person and Persons, and in such Manner as the Company of Proprietors at any Special or General Meeting shall from Time to Time appoint and direct, for the Use of the said Undertaking; and every Owner or Owners of any Share or Shares in the said Undertaking shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid to such Person and Persons, and at such Time and Place as the said Company shall from Time to Time direct and appoint; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money so called for as aforesaid at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparlance shall be allowed; or the said Company may, and they are hereby authorized at a General Meeting to declare the Shares belonging to any Person refusing or neglecting to pay any such Calls in Manner as aforesaid, to be forfeited to and for the Use and Benefit of the other Proprietors of the said Undertaking; and all such Forfeitures shall be sold at a public Sale by the said Company for the most Money that can be gotten for the same, and the Produce thereof shall be equally divided amongst the rest of the said Company in proportion to their respective Shares and Interests in the said

Power to
make Calls.

No Advantage to be taken of Forfeiture of Shares without personal Notice.

said Undertaking: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until personal Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, nor until the same Share or Shares shall have been declared to be forfeited at some Special or General Meeting of the said Company, which shall be held after the End of Three or more Calendar Months from the Day on which such Notice of Forfeiture shall have been given.

Proceedings in Actions for Calls.

XLIX. And be it further enacted, That in any Action to be brought by the said Company against any Owner or Owners of any Share or Shares in the said Undertaking to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to, for such and so many Call and Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be); whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act; and the said Company shall thereupon be entitled to recover what shall appear due unless it shall appear that any such Call exceeded Twenty Pounds for every Sum of One hundred Pounds, or was made within the Distance of Two Calendar Months from the last preceding Call, or without Notice given as aforesaid.

Books of Account to be kept.

L. And be it further enacted, That proper Books of Account and other Matters relating to the said Undertaking shall be kept, and every Proprietor or Proprietors, and his or their authorized Agent or Agents, at all seasonable Times shall have free Access to the same, for his, her, or their Inspection, without Fee or Reward.

Shares may be sold.

LI. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, and his, her, or their respective Executors or Administrators, from and after Payment of his, her, or their Subscription but not before, to sell and dispose of any Share or Shares to which he, she, or they shall be entitled therein, subject to the Rules and Conditions herein mentioned and provided; and the Form of Conveyance of Shares shall be in the following Words or to the like Effect, varying the Names and Descriptions of the contracting Parties as the Case may require:

Form of Conveyance.

I A. B. of _____ in consideration of _____ paid to me by C. D. _____ Share

Share [*or* Shares] numbered of and in the Under-
 taking called "The *Rumney* Railway," to hold unto the
 said *C. D.* his Executors, Administrators, and Assigns, subject
 to the same Rules, Orders, and Regulations, and on the same
 Conditions that I held the same immediately before the Execution
 hereof; and I the said *C. D.* do hereby agree to take and accep-
 of the said Share [*or* Shares] subject to the same
 Rules, Orders, Restrictions, and Conditions. As witness our
 Hands and Seals the Day of

And on every such Sale the said Deed or Conveyance (being exe-
 cuted by the Seller or Sellers, and the Purchaser and Purchasers
 of such Share or Shares) shall be kept by the said Purchaser or
 Purchasers for his, her, or their Security after the Clerk or Clerks
 to the said Company shall have entered in a proper Book or Books
 to be kept for that Purpose, a Memorial of such Transfers and
 Sales for the Use of the said Company, and have testified and
 indorsed the Entry of such Memorial on the said Deed of Sale
 or Transfer, for which no more than Five Shillings exclusive of
 the Stamp Duty shall be paid for each Share so transferred; and
 the said Clerk or Clerks is or are hereby required to make such
 Entry or Memorial accordingly; and until such Memorial shall
 have been made and entered as above directed, such Purchaser
 or Purchasers shall have no Part or Share of the Profits of the said
 Undertaking, nor any Interest for such Share or Shares paid to him,
 her, or them, nor any Vote or Votes in respect thereof as a Pro-
 prietor or Proprietors of the said Undertaking.

LII. And for the better Security of the several Proprietors of the
 said Undertaking to the respective Shares therein, be it further
 enacted, That the said Company shall, and they are hereby re-
 quired at their First or some subsequent General Meeting, to cause
 the Names and proper Additions of the several Persons who shall
 then be entitled to Shares in the said Undertaking, with the Num-
 ber of the Shares and the Amount of all the Subscriptions which
 they are then respectively entitled to hold, and also the proper
 Number by which every Share shall be distinguished, to be fairly
 and distinctly entered in a Book to be kept by the Clerk of the
 said Company, and after such Entry to cause their Common
 Seal to be affixed thereto, and also shall cause a Ticket
 or Instrument with the Common Seal of the said Company to
 be affixed thereto, to be delivered to every such Subscriber on
 demand, specifying the Share or Shares to which, he, she, or they
 is or are entitled to in the said Undertaking, every such Pro-
 prietor paying to the Clerk Five Shillings and no more for every
 Ticket or Instrument; and such Ticket or Instrument shall
 be admitted in all Courts whatsoever as Evidence of the Title of
 such Subscriber, his or her Executors, Administrators, and Assigns
 to the Share or Shares therein specified, but the want of such
 Ticket or Instrument shall not hinder or prevent the Owner of any
 of the said Shares from selling or disposing thereof; and which
 said Ticket or Instrument may be in the Words or to the Effect fol-
 lowing; *videlicet*,

Names of
 Proprietors
 to be en-
 tered, and
 Tickets of
 their Shares
 to be deli-
 vered to
 them.

[*Local.*]

16 T.

THESE

Form of
Ticket.

THESE are to certify, That *A. B.* of _____
is a Proprietor of the Share, Number _____ of the _____
subject to the Rules, Regulations, and
Orders of the said Company; and that the said *A. B.* or his [or her]
Executors, Administrators, or Successors and Assigns, is and are
entitled to the Profits and Advantages of such Share. Given
under the Common Seal of the said Company, the _____
Day of _____ in the Year _____

For granting
new Tickets
when old
ones are
destroyed or
worn out.

LIII. And be it further enacted, That if any of the Tickets for or
respecting the Shares of the Company of Proprietors aforesaid shall
be worn out or damaged, then upon the same being brought and
shown at some General Meeting of the said Company of Pro-
prietors, such Tickets may be cancelled and destroyed, and other
similar Tickets given under the Seal of the said Company of Pro-
prietors to the Person or Persons in whom the Property of such Tickets
and the Shares therein mentioned shall be at that Time vested; or in
case such Tickets shall be burnt or totally destroyed, then upon due
Proof thereof, like Tickets shall be given to the Person or Persons
who was or were the Owner or Owners of, or entitled to such Tickets
so burnt or destroyed; and a due Entry of the Transfer of such Ticket
or Tickets (if any such have been made) shall be entered by the Clerk
of the said Company of Proprietors in Manner herein directed.

Rates.

LIV. And in Consideration of the great Charge and Expence which
the said Company of Proprietors must incur and sustain in making
and maintaining the said Railway or Tram Road, and other the Works
hereby authorized to be made and maintained, be it further
enacted, That it shall and may be lawful for the said Company of
Proprietors from Time to Time and at all Times hereafter, to ask,
demand, take, recover, and receive, to and for the Use and Benefit of
the said Company of Proprietors, for the Tonnage of all Goods,
Wares, and Merchandise, and other Things which shall be carried or
conveyed upon the said Railway or Tram Road, or upon any Part
thereof, the Rates, Tolls, and Duties herein-after mentioned, that is to say,

For all Lime Stone, Lime, Materials for the Repair of Turnpike
Roads or Highways, and all Dung, Compost, and all Sorts of Ma-
nure, which shall be carried or conveyed upon the said Railway
or Tram Road, the Sum of One Penny *per Ton per Mile*:

For all Coal, Coke, Culm, Cinders, Stone, Marl, Sand, Clay, Iron
Stone, Iron Ore, and other Minerals, Building Stone, Pitching
and Paving Stone, Bricks, Tiles, Slates, and all gross and unma-
nufactured Articles and Building Materials, the Sum of One
Penny Half-penny *per Ton per Mile*:

For Iron of every Description, manufactured or unmanufactured,
the Sum of Two-pence *per Ton per Mile*.

For all Lead, Timber, Staves, and Deals, and all other Goods, Com-
modities, Wares, and Merchandize, the Sum of Three-pence *per
Ton per Mile*.

Power to
reduce the
Tolls.

LV. And be it further enacted, That it shall be lawful for the said
Company of Proprietors from Time to Time and as often as they
shall think fit, to lessen, reduce, and vary the Rates, Tolls, and
Duties

Duties granted by this Act for or in respect of all or any of the Articles or Things herein-before specified or mentioned, which shall be conveyed upon the said Railway or Tram Road, or any Part thereof, and again to raise, advance, and vary the same so as not at any Time to exceed the respective Amounts herein-before set forth and authorized to be collected: Provided that the Consent of Proprietors of Three-fourths of the Shares in the said Railway or Tram Road be first given, and not otherwise, to such Reduction, Variation, or Advance, as the case may be.

LVI. And be it further enacted, That in all Cases where there shall be a Fraction of a Ton, a Proportion of the same Rates shall be demanded and taken for such Fraction, according to the Number of Quarters of a Ton contained in such Fraction; and when there shall be a Fraction of a Quarter of a Ton, such Fraction shall be deemed and considered as a whole Quarter of a Ton; and in all Cases where there shall be a Fraction of a Mile in the Distance which any Waggon or other Carriage shall pass upon the said Railway or Tram Road, the Tonnage which shall be demanded and taken shall be after the Rate of the Number of Quarters of Miles which the said Waggon or other Carriage shall have passed; and when there shall be a Fraction of a Quarter of a Mile, such Fraction shall be deemed and considered as a Quarter of a Mile; and in order to calculate and ascertain with greater Precision and Facility the Distance for which Tonnage shall be demanded and taken upon the said Railway or Tram Road, the said Company of Proprietors shall cause the said Railway or Tram Road to be measured, and Stones or other conspicuous Marks to be set up and for ever maintained at the Distance of One Quarter of a Mile from each other, with proper Inscriptions; and whenever any Waggon shall have passed One or more of such Stones or Marks, or the Place where the same shall have been set up, such Waggon shall be deemed to have passed One or more Quarters of a Mile along the said Railway or Tram Road, and Tonnage for such Distance shall be due and payable, although the Distance actually travelled be more or less than is thus computed.

LVII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and their Successors from Time to Time, at any General Meeting of the said Company to be held as herein-before is directed, with the Consent of the major Part of the said Company of Proprietors assembled at any such Meeting to be held as herein-before directed, to make such Bye Law or Bye Laws for ascertaining and fixing the Price, or Sum or Sums of Money to be charged or taken for the Carriage of any Parcel (not exceeding Five hundred Pounds Weight) upon the said Railway or Tram Road, or any Part thereof respectively; and from Time to Time to repeal, alter, or vary the said Rates as to them shall seem meet, fitting, and reasonable; and that the said Company of Proprietors shall from Time to Time affix and stick up, or cause to be affixed and stuck up upon every public Wharf, and upon every Stop Gate or Toll House on the said Railway or Tram Road, in some conspicuous Part there, a Table painted in large and legible Characters, containing a List of the several Rates of Tonnage which the

Regulations
as to frac-
tional Parts
of a Ton or
Mile.

Company
empowered
to regulate
and fix the
Price of
small Par-
cels not ex-
ceeding
Five hun-
dred Pounds
Weight.

at seven
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alto?

said

Persons demanding more subject to Penalty.

said Company of Proprietors shall from Time to Time so direct and appoint, and of the Price or Prices, Sum and Sums of Money so allowed to be taken for the Carriage of all and every such Parcel and Parcels not exceeding Five hundred Pounds Weight as aforesaid, upon the said Railway or Tram Road, or any Part thereof; and in case any Owner or Master, or other Person belonging to any Waggon or other Carriage passing upon the said Railway or Tram Road, or any Collector of the Rates, Tolls, or Duties aforesaid, shall, after such Account or List shall be affixed and stuck up as aforesaid, demand or take more than the Price or Sum or Sums of Money therein specified and ascertained, such Owner, Master, Collector, or other Person as aforesaid, shall forfeit any Sum not exceeding Five Pounds; and such Bye Laws shall be valid and binding in all Cases and upon all Persons whomsoever.

Table of Tolls to be affixed before any taken.

LVIII. Provided always, and be it enacted, That it shall not be lawful for the said Company to demand or take, or cause to be demanded or taken, any of the Rates, Tolls, or Duties herein-before mentioned, but for and during such Time only as the Board so painted as aforesaid shall remain affixed to any Wharf, Stop Gate, or Toll House, as aforesaid.

Recovery of Rates.

LIX. And be it further enacted, That the Rate of Tonnage herein authorized and demanded to be taken, shall be paid to such Person or Persons at such Place or Places at, upon, or near the said Railway or Tram Road, in such Manner and under such Regulations as the said Company of Proprietors at some General or Special Meeting or Meetings shall by Notice, to be annexed to the Account or List of Tonnage, direct or appoint; and in case of Refusal or Neglect of Payment of such Rates, Tolls, or Duties, or any Part thereof, on Demand to the Person or Persons appointed to receive the same as aforesaid, the said Company of Proprietors may sue for the same in any of His Majesty's Courts of Record; or the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid, may, and he or they is or are hereby authorized to seize the Goods or other Things for or in respect whereof any such Rates, Tolls, or Duties ought to have been paid, or any Part thereof, and the Horse, Cattle, Waggon, or other Carriage laden therewith, and detain the same until such Payment shall be made, and if such Goods shall not be redeemed within Five Days next from the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent.

Penalty on Persons claiming Exemption from Tolls unlawfully.

LX. And be it further enacted, That if any Person or Persons shall fraudulently carry or convey any Article or Thing whatsoever on the said Railway or Tram Road, on Payment of a lower Rate, Toll, or Duty than that to which such Articles or Things are hereby subject or liable, and shall be thereof convicted before any Justice of the Peace for the said County of *Monmouth*, every such Person so offending shall for every such Offence forfeit and pay to the said Company of Proprietors or their Successors any Sum not exceeding Ten Shillings over and above the Rate, Toll, or Duty to which such Articles or Things are liable; to be levied and recovered in the same

same Manner as any other Penalty or Forfeiture under this Act can or may be levied and recovered.

LXI. Provided always, and be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates, Tolls, or Duties due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to detain such Distress, or the Money arising by the Sale thereof, (as the Case may happen) until the Amount of the Rates, Tolls, or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress, (as the Case shall happen) shall be ascertained by One or more Justice or Justices of the Peace for the said County of *Monmouth*, who, upon Application made to him or them for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates, Tolls, or Duties due; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them as he shall think just and reasonable; and in case of Non-payment thereof on Demand, such Costs shall be levied, by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice.

Disputes
about the
Amount of
Tolls.

LXII. And be it further enacted, That every Collector of the said Rates, Tolls, or Duties shall, and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Wharf, Stop Gate, or Toll House immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the same Rates, Tolls, or Duties shall not place such Board as aforesaid, and keep the same there during the Time he shall be such Collector as aforesaid; or shall demand or take a greater or less Rate, Toll, or Duty from any Persons than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Company made in pursuance thereof; or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading the Inscriptions on the Boards to be affixed and placed as aforesaid, or either of them, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Rates, Tolls, or Duties, or any of them, or shall in Answer to such Demand give a false Name or Names; or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Stop Gate or Toll Gate; or shall make use of any scurrilous or abusive Language to any Treasurer, Clerk, Surveyor, or other Officer, or any Person or Persons passing on the said Railway, then and in every such Case every such Toll Collector shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

For prevent-
ing Toll
Collectors
from taking
undue Tolls.

Owners of
Waggons to
give an Ac-
count in
Writing
of Lading.

LXIII. And for better ascertaining and more easily collecting the said Rates, Tolls, and Duties, be it further enacted, That the Owner or Owners, or Person or Persons having the Care of any Waggon or other Carriage passing upon the said Railway or Tram Road, or any Part thereof, shall give an exact and true Account in Writing, signed by him or them, to the Collectors of the said Rates and Tolls at the Place or Places where they shall attend for that Purpose, of what Quantity of Goods and other Things as aforesaid shall be in such Waggon or other Carriage; and with respect to such Waggon or other Carriage, from whence brought, and where the same are intended to be unloaded or left; and in case any Person shall neglect or refuse to give such Account, or to produce his Bill of Lading to any Collector demanding the same, or shall give a false Account, or shall deliver any Part of his Lading or Goods at any other Place than what is or are mentioned in such Account, with an Intent to avoid the Payment of the said Rates, Tolls, and Duties, or any Part of them, he shall forfeit and pay any Sum not exceeding Ten Shillings for every Ton of Goods and other Things, and so in proportion for any less Quantity than a Ton which shall be in such Waggon or other Carriage, of which such Account shall be so refused to be given, or which shall be fraudulently delivered out as aforesaid, as the Case shall happen to be, over and above the respective Rates, Tolls, and Duties, directed to be paid for the same by virtue hereof.

Weight of
Tonnage
ascertained.

LXIV. And for better ascertaining the Tonnage of Timber, Goods, and other Things, to be charged with the Payment of such Rate as aforesaid, be it further enacted, That One hundred and twelve Pounds Weight shall for the Purposes of this Act be deemed, rated, or estimated as for One hundred Weight, any Usage to the contrary notwithstanding.

If any Dif-
ferences
concerning
Weight,
Collectors
may weigh
or measure
Waggons.

LXV. And be it further enacted, That if any Differences shall arise between any Collector of the said Rates, Tolls, and Duties, and the Owner or Owners, or Person having the Charge of any Waggon or other Carriage, or the Owner of any Goods or other Things, it shall be lawful for any such Collector to stop and detain any such Waggon or other Carriage, and to weigh, measure, and gauge, or cause to be weighed, measured, or gauged, such Waggon or other Carriage, and all such Goods and other Things as shall be therein respectively contained; and in case the same shall, upon such weighing, measuring, or gauging, appear to be of greater Weight or Quantity than what is set forth and contained in the Account given thereof as aforesaid, then the Owner or Person giving in such Account shall pay the Costs and Charges of such weighing, measuring, and gauging, all which Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Goods and other Things shall appear to be of the same or less Weight or Quantity than the same shall by such Account appear to be of, then the said Collector shall pay the Costs and Charges of such weighing, measuring, or gauging,

and also pay to such Owner or Owners of such Goods or other Things, such Damages as shall appear to the said Justice on the Oath of any credible Witness (which Oath such Justice is hereby empowered to administer) to have arisen from such Detention; and in Default of immediate Payment thereof by the Collector the same may be recovered from the said Company of Proprietors by Distress and Sale of the Goods of the said Company of Proprietors, by Warrant under the Hand and Seal of such Justice, rendering the Overplus, if any, upon Demand, after deducting the Costs of such Distress and Sale, to the said Company of Proprietors.

LXVI. And be it further enacted, That the Owner or Owners of any Waggon or other Carriage passing along the said Railway or Tram Road shall cause his, her, or their Name or Names, and Place or Places of Abode, and the Number of his, her, or their Waggon or other Carriage; to be entered with the Clerk or Clerks of the said Company, and shall also cause such Name or Names and Number to be painted in large White Capital Letters and Figures on a Black Ground, Two Inches high at the least, and of a proportionate Breadth, on some conspicuous Part of the Outside of every such Waggon or other Carriage, and shall permit and suffer every such Waggon or other Carriage to be gauged, weighed, and measured at the Expence of the said Company, whenever it shall be required by them or any Person or Persons by them appointed for that Purpose; and every Owner or Owners, or other Person having the Care of any Waggon or other Carriage, or who shall conduct the same upon the said Railway or Tram Road, without having such Waggon or other Carriage previously gauged, weighed, and measured, or without having such Names and Figures thereon respectively as hereinbefore directed, or who shall alter, erase, or deface such Names and Figures, or any of them, or any Part thereof, or shall fix thereon any false Name or Figure, or who shall refuse to permit and suffer such Waggon or other Carriage to be gauged, weighed, and measured, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Owners to put their Names on the Outside of their Waggons.

LXVII. And be it further enacted, That the Owner or Owners of any Waggon or other Carriage passing upon the said Railway or Tram Road shall be, and he, she, and they is and are hereby respectively made answerable for any Trespasses, Damages, Spoil, or Mischief that shall be done by his, her, or their Waggon or other Carriage, or by any of the Waggoners or other Person or Persons belonging to or employed in or about the same respectively, to the said Railway or Tram Road, Bridges, Engines, and other Works or Conveniences made by virtue of this Act, either by the loading or unloading of any Waggon or other Carriage, or by any Means whatsoever, or to the Owners or Proprietors of any Building or other Erection, Lands, Tenements, or Hereditaments adjoining or lying near the same, or any other Trespass whatsoever; and the said Owner or Owners of such Waggon or other Carriage shall for every such Damage, upon Conviction of such Person or Persons before One Justice of the Peace, either by the Confession of the Party or Parties offending, or upon the Oath or Oaths of One or more credible

Owners of Waggons to be accountable for Damage done by their Servants.

dible Witness or Witnesses, (which Oath or Oaths such Justice is hereby empowered and required to administer), pay the Person or Persons injured, the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Twenty Pounds; and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Forty Shillings and all the Costs, Charges, and Expences attending such Conviction, which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner or Owners of any such Waggon or other Carriage, by Warrant or Warrants under the Hand and Seal of such Justice, and the Overplus (if any) after such Penalty, Damages, and the Costs and Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner or Owners of such Goods and Chattels; or if the Damages shall exceed the Sum of Twenty Pounds, then and in such Case the Owner or Owners of such Waggon or other Carriage may be sued and prosecuted for the same in any of His Majesty's Courts of Record, and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit; and if the Owner or Owners of any Waggon or other Carriage passing the same Railway or Tram Road shall be compelled to make any Satisfaction for any Damages, by reason of any wilful Act, Neglect, or Default of his or their Servant or Servants, or Waggoners, then and in such Case every such Servant or Waggoner shall be liable to repay such Satisfaction for Damages, with the Costs attending the same, to such Owner or Owners, and in case of Nonpayment thereof on Demand, the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

Penalty on Persons obstructing the Passage of Waggons.

LXVIII. And be it further enacted, That if any Person or Persons shall suffer the Loading of any Waggon or other Carriage using the said Railway or Tram Road to extend over the Sides thereof, or shall overload any Waggon or other Carriage, or shall leave, place, or suffer any Waggon or other Carriage to be left or remain on any Part of the said Railway or Tram Road, or other Works as aforesaid, so as to obstruct the Passage of any other Waggon or other Carriage, and shall not immediately upon Notice given of such Obstruction remove the same so as to make a free Passage for other Waggons or other Carriages passing thereon respectively, every such Owner or Owners, or other Person or Persons having the Care of such Waggon or other Carriage, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and if any Person shall throw any Gravel, Stones, or Rubbish, or any other Matter or Thing upon any Part of the said Railway or Tram Road, to be made by virtue of this Act, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall do any other Act, Matter, or Thing, to obstruct the free Passage of the said Railway or Tram Road, or any Part thereof, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

LXIX. And

LXIX. And be it further enacted, That if any Person shall wilfully and maliciously, and to the Prejudice of the said Undertaking, break, throw down, destroy, steal, carry, or take away any Part of the said Railway or Tram Road, or other Works to be erected and made by virtue of this Act, and be thereof lawfully convicted, such Person shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Persons shall be tried and convicted, shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or, in Mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty on
destroying
Works.

LXX. And be it further enacted, That it shall be lawful for the said Company from Time to Time to make such Rules, Orders, and Regulations as they shall think proper, for or relating to Waggon or other Carriages passing along or using the said Railway or Tram Road, and other Works, all such Rules, Orders, and Regulations shall be binding upon and be conformed to by the Owners or Persons having the Care or Conduct of such Waggon or other Carriages, upon Pain of forfeiting a Sum not exceeding Forty Shillings for every Default.

Company to
regulate the
Passage on
the Railway.

LXXI. Provided also, and be it further enacted, That neither the said Company of Proprietors, nor any Person or Persons whomsoever, shall be subject or liable to pay to the Trustees of any Turnpike Road or Roads any Toll whatsoever for any Waggon, Carts, Teams, or Carriages, when passing and repassing upon the said Railway or Tram Road, or upon any Part thereof, or for the Horses, Mules, or Cattle when employed in drawing the same thereon, notwithstanding any such Waggon, Carts, Teams, or Carriages; Horses, Mules, or Cattle shall or may pass or repass across any such Turnpike Road or Roads, any Law or Statute to the contrary notwithstanding.

The Com-
pany not
liable to pay
Toll to the
Trustees of
any Turn-
pike Road.

LXXII. And be it further enacted, That the said Company of Proprietors shall at their own Expence, Costs, and Charges, make, erect, and set up, and from Time to Time maintain and support such and so many convenient Gates in and upon the said Railway or Tram Road, and also all Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages over and under, or by the Side of the said Railway or Tram Road; of such Dimensions and in such Manner as Two or more Justices of the Peace for the said County of *Monmouth* shall from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Use of the Owners or Occupiers of the Lands or Grounds through which such Railway or Tram Road shall be made, or for protecting the said Lands and Grounds from Trespass, or the Cattle or other Property of the Owners or Occupiers thereof from straying or escaping thereout, by reason of such Railway or Tram Road; or any other Matter or Thing to be done in pursuance of this Act; and all such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages so to be made as aforesaid, shall from Time to Time and at all Times hereafter be supported,

Company
empowered
to make and
erect Gates,
&c. under
Direction of
Justices of
the Peace.

[Local.]

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maintained,

maintained, and kept in sufficient Repair and Condition by the said Company of Proprietors; and in case the said Company of Proprietors shall refuse or neglect to make, erect, or set up such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as herein-before directed, or to maintain and support the same or any of them when erected, set up, and made in Manner aforesaid, for the Space of Thirty Days next after the Time to be appointed for those Purposes respectively by such Justices, then and in every such Case it shall be lawful for every or any of the Owners or Occupiers of the said Lands or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Neglect or Refusal, to make, erect, and set up all such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages, as the said Justices shall have before directed or appointed to be made, erected, and set up as aforesaid, and to maintain, repair, and support the same from Time to Time as Occasion shall require, so that in making and maintaining such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, the said Railway or Tram Road, Buildings, and other Things hereby authorized to be made or erected by the said Company of Proprietors, shall not be obstructed or injured for any longer Space of Time or in any other Manner than shall be necessary for the doing thereof; and all the reasonable Costs and Charges thereof, (to be settled and allowed by the said Justices) shall be repaid to the respective Owners or Occupiers of the said Lands and Hereditaments who shall have so erected and made, repaired or maintained such Gates, Bridges, Arches, Culverts, Fences, Ditches, Drains, and Passages as aforesaid, by the said Company of Proprietors within the Space of Thirty Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company of Proprietors; and in Default of Payment of the said Costs and Charges within the Time aforesaid, the said Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company of Proprietors for the Use of such Person or Persons to whom such Costs and Charges shall have been allowed, rendering to the said Company of Proprietors the Overplus (if any) after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; and every or any of the said Owners or Occupiers, upon Refusal or Neglect by the said Company of Proprietors to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against them or any of them for the Recovery thereof by Action at Law, to be commenced and prosecuted in such Manner as in other Cases is by this Act directed.

Owners of
Lands em-
powered to
erect Gates,
&c. on In-
sufficiency
of those
erected by
the Com-
pany.

LXXIII. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands or other Hereditaments through which the said Railway or Tram Road shall be made, do or shall at any Time or Times hereafter apprehend that any of the Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages respectively, which the said Justices shall have so directed or appointed to be made by the Company of Proprietors are insufficient either in their Num-

ber or Situation for the commodious Use and Occupation of the respective Lands or Hereditaments through which the said Railway or Tram Road shall pass, then and so often and in any such Case it shall be lawful for any such Owners or Occupiers, with the Consent and Approbation of the said Company of Proprietors upon Request made to them, or in case of their Refusal for the Space of Thirty Days next after such Request, then with the Consent and Approbation of the said Justices, to make, fix, and erect at their own Costs and Charges, any other Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, or Passages of the same or like Construction or Form with those made and erected by the said Company of Proprietors, in, upon, along, or near to the said Railway or Tram Road, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands or Hereditaments; and to repair and support the same at their own Costs and Charges as Occasion shall require, so that the Passage through or along the said Railway or Tram Road be not prevented or obstructed thereby for any longer Space of Time or any other Manner than the same would necessarily have been, if such Gates, Bridges, Arches, Culverts, Ditches, Fences, Drains, and Passages had been made or erected by the said Company of Proprietors.

LXXIV. And be it further enacted, That it shall be lawful for the Owners or Occupiers of the respective Lands or Grounds through which the said Railway or Tram Road shall be made, and his and their Servants and Workmen, Cattle and Carriages, at all Times to pass and repass directly over and across such Part of the said Railway or Tram Road as shall be made in and upon the said Lands or Grounds respectively; and also along such Railway or Tram Road, as far as the Lands in their respective Occupations shall extend, for the Purpose of occupying and tilling the same, such Person or Persons not damaging or obstructing the same or the Passage thereof, without Payment of any Toll or Tonnage for the same, provided that they shall not pass along any other Part of the said Railway or Tram Road.

Owners and Occupiers to pass across Railways without Payment of Toll.

LXXV. And be it further enacted, That all Persons shall have free Liberty to use with Horses, Cattle, and Carriages the Roads, Ways, and Passages for the Purpose of conveying any Timber, Goods, Wares, Merchandize, and other Things to or from the said Railway or Tram Road, and every Part thereof; and also to pass upon and use the said Railway or Tram Road with Carts, Waggon, or other Carriages properly constructed as herein-after mentioned; and to employ the Wharfs and Quays for loading and unloading such Goods and other Things, upon Payment only of such Rates and Tolls as shall be demanded by the said Company of Proprietors, not exceeding the respective Sums herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made by the said Company of Proprietors, by virtue of the Powers herein granted, provided the said Waggon or other Carriages shall not without the Licence and Consent of the said Company pass upon the said Railway at any other Times than between the Hours of Seven in the Morning

Passage upon Railway to be free on Payment of Tonnage.

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Morning; and Six in the Evening, during the Months of *November, December, January, and February*, and between the Hours of Six in the Morning and Eight in the Evening, during the Months of *March, April, September, and October*, and between the Hours of Five in the Morning and Ten in the Evening, during the Months of *May, June, July, and August* in every Year.

No Waggon to pass unless constructed as directed by the Company.

LXXVI. And be it further enacted, That no Person or Persons whomsoever shall pass upon any Part of the said Railway or Tram Road with any Waggon or other Carriage whatsoever unless the same shall be constructed agreeably to the Orders and Regulations of the said Company, which Orders and Regulations shall be affixed upon a conspicuous Part of every Toll House erected upon such Railway or Tram Road for the collecting of the Rates and Tolls by this Act imposed, (except in crossing or passing along the said Railway or Tram Road, for the convenient Occupation of the adjacent Grounds; or in passing any public or private Carriage Road, which may happen to cross the said Railway or Tram Road); and if any Person or Persons whomsoever shall pass upon any Part of the said Railway or Tram Road with any Waggon or other Carriage not constructed in the Manner herein-before directed or referred to, (except as aforesaid,) he, she, or they so offending shall for every such Offence forfeit to the said Company any Sum not exceeding Five Pounds.

For fencing off Railways through private Lands.

LXXVII. Provided always, and be it enacted, That the said Company of Proprietors shall, and they are hereby empowered and required at their own proper Charges, after any Land shall be taken for the Use of the said Railway or Tram Road, and other Works, to divide and separate, and keep constantly divided and separated the same from the Lands or Grounds adjoining to such Railway or Tram Road, and other Works, with good and sufficient Posts, Rails, Hedges, Ditches, Mounds, or other Fences, in case the Owner or Owners of such Lands or Grounds adjoining to such Railway or Tram Road, and other Works, or any of them respectively, shall at any Time desire the same to be fenced off; and the said Company of Proprietors shall also make and maintain all necessary Gates and Stiles in all such Fences to be made as aforesaid, all such Gates being made to open towards such Lands and Grounds; and in every such Case the Powers, Provisions, Directions, and Regulations herein-before contained with respect to the Gates and other Works as aforesaid, shall extend and apply to the making and maintaining of such Fences, as fully and effectually to all Intents and Purposes as if the said Powers, Provisions, Directions, and Regulations were here repeated and enacted with respect to such Fences.

Gates to be shut and fastened after Waggon shall have passed through them.

LXXVIII. And be it further enacted, That all and every Person or Persons opening any Gate set up across the said Railway or Tram Road shall, and he, she, and they is and are hereby directed and required as soon as he, she, or they, and the Waggon or other Carriage shall have passed through the same, to shut and fasten the said Gate, and every Person neglecting so to do shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be levied and recovered as herein-after mentioned; and the Money arising

arising by such Forfeiture or Forfeitures shall be applied, in the Manner following; that is to say, Twenty Shillings Part thereof shall be paid to the Informer, and the Residue thereof to the Poor of the Township or Parish where such Offence shall be committed.

1465
1465
1465
1465
1465

LXXIX. And be it further enacted, That it shall and may be lawful for the Owners and Occupiers of the respective Lands or Grounds lying, adjoining, or near to the said Railway or Tram Road, or any other Person or Persons whomsoever, to lay down either upon their own Lands, or upon the Lands of other Persons, with the Consent of such other Persons, any collateral Branch or Branches from their respective Lands or Grounds, to communicate with the said Railway or Tram Road, or for making at their own Expence such Openings in the Ledges or Flanches of the said Railway or Tram Road as may be necessary and convenient for effecting such Communication; provided such collateral Branch or Branches, if made from a Point at a lower Level than the said Railway or Tram Road, shall be made on a level Line without any Fall; and if made from a Point at a higher Level than the said Railway or Tram Road, then that the said Branch or Branches shall join the said Railway or Tram Road in a direct Line if that can be done without a Fall exceeding Eight Inches in a Chain, or if not, then at the nearest Point to the said Railway or Tram Road, taking a Fall not exceeding Eight Inches in a Chain; and the said Company shall not receive any Tonnage for the passing of any Goods or other Things along such Branch or Branches so to be made by any Owner or Occupier, or Person or Persons as aforesaid.

Allowing the Owners of Land to make Branches.

LXXX. And be it further enacted, That it shall be lawful for the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner or Owners of any Lands or Grounds near to, through, or by which the said Railway or Tram Road, or any Part thereof shall be made, to erect and use any Wharfs, Landing Places, Cranes, Weigh Beams, or Warehouses, in or upon his, her, or their respective Wastes, Lands, or Grounds adjoining to or near to the said Railway or Tram Road, or any of them, and to land any Goods or other Things upon such Wharfs or Landing Places, or upon the Banks lying between the same and the said Railway or Tram Road, or any Part thereof; and also to make and use proper and convenient Places for Waggon, Carts, and other Carriages to lie, and turn in, and pass each other, so that the making or using thereof do not obstruct or prejudice the Passage of the said Railway or Tram Road; and that all Rates or Tolls which shall be paid for the Use of such Wharfs, Landing Places, Cranes, Weigh Beams, and Warehouses respectively, shall be and the same are hereby accordingly vested in the Lord or Lords, Lady or Ladies of such Manors, or the Owner or Owners of such Lands or Grounds, who shall make and erect the same as aforesaid, and his, her, or their Representatives, so that the Rates and Powers herein granted to the said Company of Proprietors be not thereby reduced, altered, or infringed.

Lords of Manors and Owners may erect Wharfs on their own Lands;

LXXXI. And be it further enacted, That if any such Lord or Lords, Lady or Ladies, Owner or Owners, shall not within the Space of Six
[Local.] 16 Y Calendar

but if they refuse when required by

Company,
the Com-
pany may
erect the
same.

Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their last or usual Place or Places of Abode, by or on Behalf, of the said Company of Proprietors, signifying that any Part of such Wastes, Lands, or Grounds is necessary or proper to be used by them for the Purpose of erecting and making Wharfs, Landing Places, Warehouses, and Buildings for the Use of the said Railway or Tram Road, or for making or laying out necessary and convenient Roads for Conveyances of Goods to and from the said Railway or Tram Road, make, erect, and lay out, and from Time to Time maintain and keep in good and substantial Repair, such proper and sufficient Wharfs or Landing Places, Warehouses, Buildings, and Roads for the Use of the said Railway or Tram Road, as any Two or more Justices of the Peace for the said County of *Monmouth* shall think necessary, on the respective Part or Parts of the Wastes, Lands, and Grounds described in such Notice, then and in every or any such Case, the said Company of Proprietors shall have full Power and Authority, without any Hindrance or Restraint whatsoever, to make use of such Wastes, Lands, or Grounds, not being the Ground whereon any House or other Building stands, or a Garden, Orchard, Yard, Park, Planted Walk, or an Avenue to a House, (except as hereinbefore mentioned or referred to), for erecting and building proper and sufficient Wharfs, Landing Places, Warehouses, and Buildings, and making and laying out necessary and convenient Roads to and from the said Railway or Tram Road, agreeably to such Notice to be delivered as aforesaid.

Compensa-
tion to be
made for
Lands taken
for Wharfs,
&c.

LXXXII. And be it further enacted, That the said Company of Proprietors shall make Satisfaction for the Lands or Grounds taken and used by them for the Purpose of making such Wharfs, Landing Places, Warehouses, Buildings, and Roads as aforesaid; in such Manner as is herein directed, with respect to any other Lands or Grounds which shall be taken or used by the said Company of Proprietors for the Purposes of this Act.

Regulations
respecting
private
Wharfs.

LXXXIII. And be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any other Person or Persons to make use of any Wharfs, Quays, Landing Places, Cranes, Weigh Beams, or Warehouses which shall be set out, erected, or made by the Lord or Lords, Lady or Ladies of any Manor, or the Owner or Owners of any Lands or Grounds adjoining or near to the said Railway or Tram Road, for his, her, or their private Use only, or to set up, erect, or use any Cranes or Weighing Machines in or upon any such Wharfs, Quays, or Landing Places without the Consent of such Lord or Lords, Lady or Ladies, Owner or Owners.

Wharfingers
not to give
Preference.

LXXXIV. And be it further enacted, That if any Wharfinger or other Servant belonging to the said Company of Proprietors shall give any undue Preference or shew any Partiality in loading and unloading any Goods or other Things at any of the Wharfs, Warehouses, Weigh Beams, Cranes, or other Machines belonging to the said Company of Proprietors, any Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings to the Informer.

LXXXV. And be it further enacted, That no more than the Sum of One Penny *per* Ton shall be demanded or taken by any such Lord or Lords, Lady or Ladies, Land Owner or Owners, who shall make, erect, or build any such Wharfs or Quays in pursuance of the Notice to be given by or on Behalf of the said Company of Proprietors to such Lord or Lords, Lady or Ladies, Owner or Owners for that Purpose as aforesaid, or by the said Company of Proprietors themselves, under the Power herein for that Purpose contained (as the Case may be) for the Wharfage of Coals, Culm, Lime, Lime Stone, Clay, Iron, Iron Stone, Lead Ore, or any other Ores; Timber, Stone, Brick, Tiles, Slates, Gravel, or other Things; nor more than Two-pence for the warehousing of every Package not exceeding Fifty-six Pounds; nor more than Four-pence for the warehousing of every Package above Three hundred Pounds Weight, and not exceeding Six hundred Pounds Weight; and not more than Sixpence *per* Ton for the warehousing any Package exceeding One thousand Pounds Weight, which shall be respectively placed upon any of the Wharfs or Warehouses hereby authorized to be made, and which shall be placed and remain in and upon any such Wharfs, Quays, or Warehouses, and shall not continue thereupon for a longer Space of Time than Forty-eight Hours: Provided always, that in case any of the said Articles shall be left and remain in and upon any such Wharfs, Quays, or Warehouses over and above the Time hereby limited for the same respectively, then the Owner or Owners of such Articles shall pay to the Proprietors of such Wharfs, Quays, or Warehouses the further Sum of One Penny *per* Ton for Wharfage, and Two-pence *per* Ton for warehousing for the next Seven Days, and the like Sum of One Penny or Two-pence respectively *per* Ton for every further Seven Days which such Articles shall remain upon such Wharfs, Quays, or Warehouses after the Expiration of the said first mentioned Seven Days: Provided also, that it shall be lawful for the said Company of Proprietors to erect, repair, and use any Cranes or Weighing Machines upon any such Wharfs or Quays last mentioned for the more convenient loading and unloading and weighing of any such Minerals or other Goods, Wares, Merchandize, or Commodities, in case the Proprietors of such Wharfs or Quays shall refuse or neglect to make and erect the same for the Space of Six Calendar Months after they shall have received Notice in Writing for that Purpose from the said Company of Proprietors, or when so erected, neglect or refuse to keep the same in Repair; any thing in this Act contained to the contrary thereof notwithstanding.

LXXXVI. And be it further enacted, That the said Company or such Person or Persons as they shall for that Purpose appoint, is and are hereby authorized to contract and agree with any Person or Persons for making the said Railway or Tram Road, or any Part or Parts thereof, or any other of the Works hereby authorized to be made or done by the said Company, in such Manner and for such Sum and Sums of Money and under such Regulations and Restrictions as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding upon the said Company, and all other the Parties thereto and their respective

Successors,

Limiting the Wharfage to be taken by Individuals who may erect Wharfs.

Company may contract for the Works.

Successors, Heirs, Executors, or Administrators; and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Company or either of the Parties failing in the Execution thereof.

Service of
Notices on
Company.

LXXXVII. And be it further enacted, That in all Cases where it may be necessary or requisite for any Person or Persons, or Party or Parties to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings upon the said Company, Service thereof respectively upon any One of the Members of the said Committee, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Power to
raise a fur-
ther Sum by
Mortgage.

LXXXVIII. And be it further enacted, That in case the Money hereby authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Railway or Tram Road, and other the Works hereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the Company to raise any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Twenty thousand Pounds, by Mortgage of the said Undertaking; and it shall be lawful for the said Company of Proprietors, by an Order of any General Assembly of the said Company, to borrow and take up at Interest, all or any Part of the said Sum of Twenty thousand Pounds, on the Credit of the said Railway or Tram Road and Undertaking; as to them shall seem meet and convenient; and the said Company of Proprietors, after an Order of any General Assembly, are hereby fully authorized and empowered to assign the Property of the said Railway or Tram Road, and the Rates arising or to arise by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Rates), as a Security for any such Sum or Sums of Money to be borrowed as aforesaid, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees who shall advance the same, all which said Mortgages or Assignments shall be made under the Common Seal of the said Company, in the Words or to the Effect following; that is to say,

BY virtue of an Act of Parliament made in the Sixth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*] We, the Company of Proprietors of the said Railway, incorporated by and under the said Act, in consideration of the Sum of _____ to us in Hand paid by *A. B.* of _____ do assign unto the said *A. B.* his [*or her*] Executors, Administrators, and Assigns, the said Railway and all and singular the Rates arising by virtue of the said Act, and all the Estate, Right, Title, and Interest of us, the said Company of Proprietors of, in, and to the same, to hold unto the said *A. B.* his [*or her*] Executors, Administrators, and Assigns, until the said Sum _____

Sum of _____ together with Interest for the same,
 after the Rate of _____ for every One hundred Pounds
 for a Year, shall be fully paid and satisfied. Given under our
 Common Seal, this _____ Day of _____ in the
 Year of our Lord _____

And all and every Person and Persons to whom such Mortgage or Assignment shall be made, shall be equally entitled, one with the other, to his, her, or their Proportion or Proportions of the said Rates and Premises, according to the respective Sums in such Assignments mentioned to be advanced, without any Preference, by reason of Priority of any such Assignments, or on any other Account whatsoever; and a Memorial of every such Assignment, containing the Date, Name or Names of the Persons to whom made, the Sum of Money borrowed, and Rate of Interest, shall be entered in a Book or Books, to be kept by the Clerk or Clerks to the said Company of Proprietors, which said Book or Books shall and may be perused at all seasonable Times, by any of the Proprietors or Creditors of the said Railway, or other Persons interested therein, without Fee or Reward.

LXXXIX. And be it further enacted, That all and every Person or Persons to whom any such Mortgage or Mortgages, Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right or Interest therein to any Person or Persons whomsoever, which Transfer shall and may be made in the Words or to the Effect following: Power to transfer Mortgage.

I [or We] _____ of _____ in consideration of the Sum of _____ paid by _____ of _____, do hereby transfer a certain Mortgage made by the Company of Proprietors of the *Rumney* Railway to _____, bearing Date the _____ Day of _____, for securing the Sum of _____ and Interest, and all my [or our] Right and Property therein, to the said _____ his [or her, or their] Executors, Administrators, and Assigns. Dated this _____ Day of _____ in the Year of our Lord _____

And every such Transfer shall within Thirty Days after the Date thereof be produced to the Clerk or Clerks to the said Company, who shall cause a Memorial to be made thereof in like Manner as the original Mortgages or Assignments, for which the said Clerk or Clerks shall be paid such Sum as the said Company of Proprietors shall appoint, not exceeding the Sum of Two Shillings and Sixpence; and after such Entry made every such Transfer shall entitle such Assignee or Assignees, his, her, and their Executors, Administrators, and Assigns to the full Benefit thereof; and it shall not be in the Power of any Person or Persons who shall have made such Transfer, to make void, release, or discharge the same, or any Sum or Sums of Money thereon due, or thereby secured, or any Part thereof.

Interest on
Mortgage to
be paid.

XC. And be it further enacted, That the Interest of the Money which shall be borrowed by Mortgage as aforesaid, shall be paid Half-yearly to the several Persons entitled thereto, in preference to any Interest or Dividends due and payable by virtue of this Act to the said Company of Proprietors, or any of them, and shall from Time to Time be fully paid and discharged or provided for before the Yearly or other Interest or Dividends due to the said Proprietors, or any of them, shall be paid, made, or divided; and in case the same or any Part thereof shall be behind and unpaid for the Space of Sixty Days next after the same shall become due and payable as aforesaid, and after Demand thereof made, then it shall be lawful for any Two or more Justices of the Peace acting for the said County of *Monmouth*, and they are hereby required on Request to them made by any Creditor whose Interest shall be so in Arrear, by an Order under their Hands, to appoint One or more Person or Persons to receive the whole or such Part or Parts of the said Rates or Duties as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of such Person or Persons to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving the said Rates and Duties shall be fully paid and satisfied; and after such Interest and Costs shall be paid and satisfied the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine, or otherwise the Interest so due and unpaid as aforesaid shall be sued for and recovered with Costs by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Mortgagees
not to be
deemed Pro-
prietors.

XCI. Provided always, and be it further enacted, That no Person to whom any such Assignment shall be made or transferred as aforesaid, shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such, either as Principal or by Proxy, at any Meeting of the said Company of Proprietors, for or on account of his or her having lent or advanced any Sum or Sums of Money on the Credit of such Assignment.

If Railway
not com-
pleted in
Seven Years,
Powers to
cease, ex-
cept as to
such Part, if
any, as shall
be com-
pleted.

XCII. Provided always, and be it further enacted, That in case the said intended Railway or Tram Road shall not have been completed and made (unless prevented by inevitable Accidents) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Railway or Tram Road and Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Monmouth*, assembled at any Quarter Sessions of the Peace to be holden in and for the said County, at any Time before the Expiration of the said Term of Seven Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath, to be produced before them for that Purpose.

XCIII. And

XCVIII. And be it further enacted, That in case all or any of the Tolls or Duties arising by virtue of this Act shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof shall be in arrear or unpaid for the Space of Fourteen Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Agreement, or Contract for demising or letting the same Tolls or Duties; or in case any temporary or other Collector of the said Tolls or Duties shall be discharged from his Office by virtue of this Act, or shall die, abscond, or absent himself, and any such Collector who shall be so discharged, or the Wife, Widow, or any of the Children or Family, or other Representatives of any Collector who shall die, abscond, absent himself, or be discharged, or any other Person or Persons, shall refuse to deliver up the Possession of any Toll House or Toll Houses, Weighing Machine or Weighing Machines, or other Building or Buildings, with the Gardens and other Appurtenances thereto respectively belonging, to be erected, built, constructed, or set up by virtue of this Act, for the Space of Four Days after Demand thereof made in Writing, given or left at such Toll House, Weighing Machine or Building; or at any One of such Toll Houses, Weighing Machines or Buildings, which shall be or have been in the Possession or Occupation of such Collector or other Person or Persons, such Demand in Writing to be signed by the Clerk or Treasurer for the Time being of the said Company of Proprietors; or in case any such Lease, Agreement, or Contract, shall in any other Manner become void, then and in any of the said Cases, it shall be lawful for any Two or more Justices of the Peace for the said County of *Monmouth*, upon Application made by the said Clerk or Treasurer for the Time being of the said Company of Proprietors, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of every or any such Toll House, Weighing Machine, or other Building, with the Garden and all other the Appurtenances thereto belonging, and to remove and put such Lessee or Lessees, Farmer or Farmers, or other the Person or Persons who shall be found therein, together with his, her, or their Goods, from and out of the same, and the Possession thereof, and from the Collection of such Tolls and Duties, and to put the said Company of Proprietors, or any One of them, or their new Lessee, Farmer, or Collector, Lessees, Farmers, or Collectors, into the Possession thereof; and thereupon it shall be lawful for the said Company, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement (if any) which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Lessees Part), as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Company in every such Case again

Power to re-
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of land

to

to demise or let to farm the said Tolls and Duties to any Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Damages and Charges in Cases of Dispute to be settled by Justices.

XCIV. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace, by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Non-payment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in Manner hereby directed for levying of any Penalties or Forfeitures.

Recovery and Application of Penalties.

XCV. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, or against any Rules, Bye Laws, or Orders made in pursuance of this Act, shall be adjudged by and recovered before any Justice or Justices of the Peace for the said County of *Monmouth* in a summary Way, and who is and are hereby authorized and empowered to convict the Offender or Offenders, upon the Oath of any credible Witness or Witnesses, or on the Confession of the Party offending, (which Oath such Justice is hereby authorized to administer,) and in Default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice or Justices, rendering the Overplus (if any) on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and One Moiety of the Penalties and Forfeitures when recovered shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the said Company of Proprietors for the Use and Benefit of the said Company; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before such Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress (such Day or Days not being more than Seven Days from the taking of any such Security), and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no such Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath

or have not sufficient Goods and Chattels whereon such Penalties, Inflictions, Costs, and Expences can be levied, if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied.

XCVI. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Persons aggrieved by Irregularity in Distress to recover Damages.

XCVII. And whereas Persons guilty of Offences against this Act may be transient Persons unknown to the Collectors, Surveyors, and other Persons under this Act, be it further enacted, That it shall and may be lawful to and for the said Collectors and Surveyors and other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more of the Justice or Justices of the Peace for the said County of *Monmouth* without any Warrant or Authority than this Act for so doing, and such Justice or Justices of the Peace respectively is and are hereby respectively empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

For securing transient Offenders.

XCVIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; *videlicet*,

Form of Conviction.

BE it remembered, That on the _____ Day of _____
 in the Year of our Lord _____ A. B. is
 convicted before me C. D. One of His Majesty's Justices of the
 Peace for the County of _____ [specifying the County,
 the Offence, and the Time and Place when and where committed, as
 the Case may be] contrary to an Act passed in the Sixth Year of the
 Reign of King George the Fourth, intituled [here set forth the
 Title of this Act.] Given under my Hand and Seal the Day and
 Year first above written.

Persons ag-
grieved may
appeal
to the
Quarter Ses-
sions.

XCIX. And be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, may within Three Calendar Months next after such Order, Judgment, or Determination shall have been made or given (first giving Fourteen Days Notice of such Complaint, and of the Nature thereof) to the Person or Persons against whom such Complaint is intended to be made, or to the said Company, as the Case may be, and forthwith after such Notice entering into Recognizance before some Justice of the Peace with Two sufficient Sureties conditioned to try such Appeal, and abide the Order and Award of the said Court thereon, appeal to the Justices of the Peace at the next General Quarter Sessions to be held in and for the County wherein such Cause of Appeal shall happen or arise, who shall in a summary Way either hear and determine the said Complaint at such General Quarter Sessions, or if they think proper adjourn the Hearing thereof to the next following General Quarter Sessions of the Peace to be held for such County; and the said Justices may, if they see cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Bye Law or Determination, and may also order and award such further Satisfaction and Costs to be made and paid to the Party injured, as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation
of Actions.

C. And be it further enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities, or any of the Orders made, given, or directed in, by, or under this Act, unless Fourteen Days previous Notice shall be given by the Person or Persons intending to commence and prosecute such Action, Suit, or Information to the said Company, nor unless such Action, Suit, or Information shall be brought or commenced within Three Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within Four Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and shall be laid and brought in the County where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall happen to have been so done, or if any such Action, Suit, or Information shall have been brought or commenced before or after the Time to be limited for bringing the same, or in any County or Place than as aforesaid, then and in every such Case

the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs; and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law.

CI. And be it further enacted, That this Act shall be deemed Public Act, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others without being specially pleaded.

SCHEDULE referred to by this Act.

No. on Plan.	Land-Owners Names.	Occupiers Names.	Description of Premises.	Parishes.
19	Sir Charles Morgan Bart.	Thomas Edwards and John Price	Farm-yard	Bedwelty.
45	Ditto	Mary Edwards	Cottage and Garden	
	Ditto	William Davies	Ditto	
	Ditto	David Griffiths	Ditto	
46	Ditto	William Miller	Ditto	
47	Ditto	Charles Edmunds	Beasthouse and Yard	
96	Thomas Charles	Edward Evans	Garden and Farm-yard	
104	Mrs. Williams	Rachel Davies	Farm-yards and Gardens	
107	Sir Charles Morgan Bart.	James Philips	Ditto	
120	Ditto	Edward Morgan	Ditto	
142	Joseph Davies	Edward Roberts	Ditto	Bedwas.
146	Ditto	Thomas Lewis	{ Houses, Gardens, Yards, and Outbuildings	
148	Lord Bishop of Llandaff	Watkin Watkins Clerk	Stable, Beast-house, Farm-yard	
158	Sir Charles Morgan Bart.	David Davies	Farm-yards and Gardens	
163	Thomas Price Clerk	Daniel Lewis	Ditto	
164				
208	Sir Charles Morgan Bart.	John Harford	{ Plantation of Trees, Orchard, Stable, Garden, and Yard	
209				
212				
215	Ditto	John Vaughan	{ House, Two Gardens, Orchard, and Yard	
216				
217	Ditto	The same	Cottage and Garden	
220	Ditto	Edmund Samuel	Ditto	
225	Ditto	Walter Rosser	Orchard	
226	Ditto	Isaac Lewis	Cottage and Garden	
232	Ditto	In hand	Garden	Machen.
237	John Jones	Lewis Thomas	Farm-yard and Garden	
241	Sir Charles Morgan Bart.	John Vaughan and Jacob Harris	House, Garden, and Orchard	
243	Ditto	Morgan Thomas	House and Garden	
250	Ditto	Edward Edmunds	Garden and Farm-yards	
253	Ditto	In hand	Plantation of Trees	
255	Ditto	Thomas Edwards	Garden	
258	Ditto	In hand	{ Plantation of Trees, Gardens, and Yards	
259				
261	Ditto	William Howard	Garden and Farm-yard	
264	William Griffiths	Lewis Gimlet	Garden and Orchard	
265				
276	Ann Thomas and others	John Samuel	Garden and Yard	Bassaleg.
292	Sir Charles Morgan Bart.	William Lawrence	Garden	
293	Ditto	William Thomas	Ditto	